

State Policies on Religious Freedom in Indonesia: Decolonial Perspectives, Historical Contexts, and Contemporary Challenges

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Abstract

This study examines state policies on religious freedom in Indonesia through decolonial perspectives, analyzing how colonial legacies continue to shape contemporary religious governance despite constitutional guarantees of pluralism. Using qualitative methods through extensive literature review, this research traces the evolution of religious policies from pre-independence through the Sukarno and Suharto periods to the post-Reformasi decentralization era, revealing how postcolonial nationalism has reproduced rather than transcended colonial patterns of categorizing, surveilling, and controlling religious diversity. The findings demonstrate that systematic discrimination against minority groups, particularly Ahmadiyah and Shia communities, represents not merely policy implementation failures but structural continuities with colonial governmentality that renders certain religious expressions illegitimate. Through case studies of violence in Cikeusik and Sampang, regional discriminatory regulations, and the closure of houses of worship, this research illuminates how decentralization has paradoxically enabled both local accommodations and new forms of majoritarian control. While Indonesia's historical, political, and cultural contexts have shaped its approach to religious diversity and tolerance, the practical implementation of constitutional rights often faces significant challenges rooted in colonial epistemologies. The study argues that achieving genuine religious freedom requires comprehensive decolonization—transforming epistemological frameworks, dismantling discriminatory legal structures, reforming religious education, and supporting civil society resistance—rather than merely technical policy adjustments within inherited colonial-postcolonial frameworks, thereby addressing persistent issues of pluralism and intolerance that continue to affect religious minorities.

Keywords: Religious policy, religious freedom, pluralism, tolerance.

Introduction

The definition of religion encompasses two approaches, namely functional and substantive. The functional approach emphasizes the role of religion in society, while the substantive approach highlights the main features of religion, such as belief in God and the

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supernatural dimension.¹² Religion encompasses various practices and beliefs that not only serve to provide solutions to various problems encountered in daily life, but are also based on a deeper understanding of the fundamental nature of reality, which often involves aspects that cannot be directly observed and are considered to have a significant influence on the way people live their lives and interact with the world around them.³

In the book *State Management of Religion in Indonesia*, religion in Indonesia is understood as a belief system that not only includes spiritual aspects but is also integrated into the social and political structure of the state.⁴ Indonesia, which is a Muslim-majority country, officially recognizes six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism.⁵ Although the state claims the presence of religion by providing protection and recognition, religious practices are often governed by strict regulations, which creates a complex relationship between religion and the state. This book highlights how religion, in the Indonesian context, serves as a tool for social and political management, foregrounding the importance of interfaith tolerance and regulation resulting from state policy.⁶

In the book *Religion, Politics, and Gender in Indonesia*, religion refers to practices and beliefs related to Muslim identity in Indonesia, as well as its interaction with politics, gender, and social issues.⁷ Understanding Islam is influenced by cultural context, class, and global dynamics, creating complex debates in the public sphere.⁸ Therefore, religion is not only viewed from a theological perspective, but also as a reflection of moral and identity changes in a society undergoing transition, providing critical insights into the relationship between religion and social life in Indonesia, including how religion becomes a tool for social and political management, emphasizing the importance of interreligious tolerance and regulations resulting from state policies.⁹

Arvind Sharma explained his perspective on the notion of religious freedom. According to him, religious freedom is when humans are not required, not forced, or do not experience obstacles in choosing or doing something.¹⁰ Freedom of religion is a fundamental human right that gives every individual the opportunity to choose and develop their beliefs without coercion. This principle affirms that both Muslims and non-Muslims are not forced to embrace a particular religion and have the right to practice their religious rituals without hindrance. Tolerance and mutual respect among followers of different religions are key to fostering harmony in society. By

¹ Robert Crawford, *What is Religion?*, (New York, 2002).
https://books.google.co.id/books/about/What_is_Religion.html?id=D-uAAgAAQBAJ&redir_esc=y

² Rahman, Md Atikur. "The significance of religious values in forming sustainable life and economic progress." *International Journal of Scientific Interdisciplinary Research* 6, no. 1 (2025): 60-87.
<https://doi.org/10.63125/ev1csz66>

³ Kevin, Schilbrack. "What isn't religion?" *The Journal of Religion* 93.3 (2013): 291-318.
<https://www.journals.uchicago.edu/doi/abs/10.1086/670276?journalCode=jr>

⁴ Septiadi, Muhammad Andi. "A Comprehensive Literature Review on the Role of Religion in Public Policy." *Religion and Policy Journal* 1, no. 1 (2023): 1-7. <https://doi.org/10.15575/rpj.v1i1.426>

⁵ Ramstedt, Martin. "Securing religious diversity in Indonesia: The case of the Indonesian Buddhist community." In *Minority Rights and Social Change*, pp. 84-105. Routledge, 2024.
<https://doi.org/10.4324/9781003394280-6>

⁶ Myengkyo Seo, *State Management of Religion in Indonesia*, (New York, 2013).

⁷ Rodriguez, Diego Garcia. *Gender, sexuality and Islam in contemporary Indonesia: Queer Muslims and their allies*. Routledge, 2023. <https://doi.org/10.4324/9781003302490>

⁸ Hefner, Robert W. *Islam and citizenship in Indonesia: democracy and the quest for an inclusive public ethics*. Routledge, 2023. <https://doi.org/10.4324/9781032629155>

⁹ Sonja van Wichelen, *Religion, Politics and Gender in Indonesia*, (New York, 2010).

¹⁰ Sharma, Arvind. *Problematizing religious freedom*. Vol. 9. Springer Science & Business Media, 2011.

valuing differences, we can build harmonious and supportive relationships in living our religious lives.¹¹

Freedom of religion is a fundamental human right that gives every individual the opportunity to choose and develop their beliefs without coercion. This principle affirms that both Muslims and non-Muslims are not forced to embrace a particular religion and have the right to practice their religious rituals without hindrance.¹² Tolerance and mutual respect among followers of different religions are key to fostering harmony in society.¹³ By valuing differences, we can build harmonious and supportive relationships in living our religious lives.¹⁴ Freedom of religion is defined as the right of every individual to choose, practice and propagate their religious beliefs without pressure or discrimination, including from the state.¹⁵ This concept is based on human rights principles enshrined in the Indonesian constitution, which guarantees protection of religious freedom and minority rights.¹⁶¹⁷ Although Indonesian law formally recognizes freedom of religion, its implementation is often ineffective, with many individuals facing challenges and oppression due to their religious identity.¹⁸

Freedom of religion is one of the foundations of a democratic society and a fundamental human right recognized by the international legal framework. The Universal Declaration of Human Rights, adopted by the United Nations (UN) General Assembly in 1948, explicitly articulates this right in Document 18¹⁹, which reads, "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, with the freedom to manifest his religion or belief by teaching, practising, worshipping and observing it, either alone or in community with others, in public or in private."

Freedom of religion is the right of every individual to embrace, practice, and propagate the teachings of their religion or beliefs without coercion or discrimination.²⁰ However, in practice, the concept of freedom of religion is often hampered by regulations that prioritize harmony among religious communities, which in some cases can limit individuals' freedom of expression and worship. This creates tension between efforts to promote harmony and protect religious freedom,

¹¹ Murni, Dewi. "Toleransi Dan Kebebasan Beragama Dalam Perspektif Al-Quran." *Syahadah: Jurnal Ilmu Al-Qur'an dan Keislaman* 6, no. 2 (2018): 72-90.

¹² Kadayifci-Orellana, S. Ayse. "Towards a more inclusive understanding of human rights for non-Muslims in a Muslim state: Sunni-Hanafi perspective." In *Religion in Diverse Societies*, pp. 178-196. Routledge, 2024. <https://doi.org/10.4324/9781003467236-13>

¹³ Nugroho, Muhammad Aji. "Religious Tolerance Model in Salatiga: Analysis of the Implementation of Religious Moderation Concept in a Multicultural City." *International Journal on Advanced Science, Education, and Religion* 7, no. 4 (2024): 27-43. <https://doi.org/10.33648/ijoaser.v7i4.732>

¹⁴ Hutabarat, Franklin. "Navigating diversity: Exploring religious pluralism and social harmony in Indonesian society." *European Journal of Theology and Philosophy* 3, no. 6 (2023): 6-13. <https://doi.org/10.24018/theology.2023.3.6.125>

¹⁵ Gunner, Göran. "Religious Freedom as a Human Right." In *Freedom of Religion and Religious Pluralism*, pp. 79-100. Brill Nijhoff, 2023. https://doi.org/10.1163/9789004504967_006

¹⁶ Iswahyudi, Eko. "Human Rights and Legal Reforms in Indonesia: Challenges and Progress." *The Journal of Academic Science* 2, no. 2 (2025): 734-743. <https://doi.org/10.59613/ydwta66>

¹⁷ Isra, Saldi, and Pan Mohamad Faiz. "The role of the constitutional court in protecting minority rights: A case on traditional beliefs in Indonesia." In *Litigating the rights of minorities and indigenous peoples in domestic and international courts*, pp. 125-148. Brill Nijhoff, 2021. https://doi.org/10.1163/9789004461666_006

¹⁸ Mann, Tim. *Defending Legal Freedoms in Indonesia: The Indonesian Legal Aid Foundation and Cause Lawyering in an Age of Democratic Decline*. Routledge, 2024. <https://doi.org/10.4324/9781003486978>

¹⁹ Majelis Umum PBB, "Deklarasi Universal Hak-Hak Asasi Manusia", Komisi Nasional Hak Asasi Manusia Indonesia.

²⁰ Tahzib, Bahiyyih G. *Freedom of religion or belief: ensuring effective international legal protection*. Vol. 44. BRILL, 2021.

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where the freedom to spread one's beliefs is often restricted by norms aimed at maintaining social stability.²¹

Despite its commitment to religious pluralism, Indonesia faces significant challenges in implementing and protecting religious freedom.²² Religious intolerance is a crucial issue in Indonesia that threatens national unity, because such actions contradict the universal teachings of every religion that uphold goodness.²³ Therefore, intolerance violates the principle of freedom of religion that should be respected,²⁴ often fueled by political, social and economic factors. Ahmadiyya communities, Shia Muslims, and Christian minorities have faced discrimination and violence, highlighting the gap between constitutional guarantees and realities on the ground. Indonesia's decentralized political system, established after the fall of Suharto's new order regime in 1998, has both positive and negative implications for religious freedom.²⁵ On the one hand, decentralization has empowered local governments to address specific needs and promote interfaith dialogue.²⁶ On the other hand, it has also led to the proliferation of local regulations that discriminate against religious minorities and restrict religious practice.²⁷

Building upon these foundational works, this research extends the analytical frame by explicitly foregrounding decolonial perspectives that interrogate how colonial structures of knowledge and power continue to shape postcolonial religious governance.²⁸ The decolonial approach, informed by scholars such as Walter Mignolo, Aníbal Quijano, and Boaventura de Sousa Santos, directs attention to the "coloniality of power"—the enduring patterns of domination that persist beyond formal decolonization through the reproduction of colonial categories, hierarchies, and epistemologies in postcolonial institutions and practices.²⁹³⁰ Applied to religious freedom in Indonesia, this perspective reveals how the state's insistence on recognizing only six official religions³¹, its requirement that citizens identify with one of these religions on identity cards, its complex permit processes for houses of worship, and its prosecution of blasphemy all represent

²¹ Salim, Delmus Puneri. "Kerukunan Umat Beragama Vs Kebebasan Beragama di Indonesia." *Potret Pemikiran* 21, no. 2 (2017).

²² Intan, Benyamin F. "Religious pluralism, public religion, and principled pluralism in Indonesia." *Transformation* 40, no. 4 (2023): 334-349. <https://doi.org/10.1177/02653788231206020>

²³ Suryani, Anne, and A. Bukhori Muslim. "The setting-religious intolerance in Indonesia." In *Embracing Diversity: Preparing Future Teachers to Foster Religious Tolerance*, pp. 1-12. Singapore: Springer Nature Singapore, 2024. https://doi.org/10.1007/978-981-97-1616-6_1

²⁴ Setyawan, Nathanael Bagas, and Ridwan Arifin. "Analisis perlindungan terhadap toleransi kebebasan beragama di Indonesia dalam perspektif hak asasi manusia." *Nurani: jurnal kajian syari'ah dan masyarakat* 19.1 (2019): 27-34. <https://doi.org/10.19109/nurani.v19i1.3100>

²⁵ Croissant, Aurel. "Indonesia: Challenges of conflict and consensus in the Era of Reformasi." In *Comparative politics of Southeast Asia: An introduction to governments and political regimes*, pp. 75-119. Cham: Springer International Publishing, 2022. https://doi.org/10.1007/978-3-031-05114-2_4

²⁶ Raiu, Cătălin. "The role of public administration in interreligious dialogue. International standards and recommendations." *Romanian Journal of Public Affairs* 7 (2023): 79-98.

²⁷ Finke, Roger, and Dane R. Mataic. "Reconciling state promises and practices: Constitutional promises and discrimination against religious minorities." *Social Compass* 68, no. 3 (2021): 301-320. <https://doi.org/10.1177/00377686211012350>

²⁸ Parker, Cristián. "Religious and spiritual diversity in multiple modernities: a decolonial perspective focusing on peripheral religious expressions." *Religions* 15, no. 6 (2024): 726. <https://doi.org/10.3390/rel15060726>

²⁹ Mignolo, Walter D. *The politics of decolonial investigations*. Duke University Press, 2021.

³⁰ Maldonado-Torres, Nelson. "Aníbal Quijano and the decolonial turn." *Theory, Culture & Society* (2025): 02632764241303701. <https://doi.org/10.1177/02632764241303701>

³¹ Hefner, Robert W. "Islam and institutional religious freedom in Indonesia." *Religions* 12, no. 6 (2021): 415. <https://doi.org/10.3390/rel12060415>

continuations of colonial governmentality that sought to render religious life legible and controllable for administrative purposes.

The historical trajectory of religious policy in Indonesia demonstrates how different political periods have reconfigured rather than eliminated these structures of control. During the pre-independence era under Dutch colonialism, religion served as a key site of colonial intervention, with Islam constructed as a potential threat requiring surveillance while Christianity received preferential support as an instrument of the civilizing mission.³² The early post-independence period under Sukarno attempted to balance religious pluralism with national unity through the Pancasila ideology, but tensions between Islamic, nationalist, and communist political forces created instability that was resolved through authoritarian consolidation under Suharto's New Order regime.³³

The Reform era beginning in 1998 brought democratic opening and decentralization that many hoped would strengthen religious freedom. However, this research reveals that decentralization has produced ambiguous outcomes: while creating some space for local accommodations of diversity, it has also enabled the proliferation of discriminatory regional regulations (Perda) that reflect majoritarian religious nationalism at the local level. The emergence of more than 440 Sharia-based regional regulations between 1999 and 2009 demonstrates how democratic decentralization can paradoxically facilitate new forms of religious control when majority communities instrumentalize democratic processes to restrict minority rights. Cases such as the closure of GKI Yasmin Church in Bogor despite Supreme Court rulings in its favor, the sealing of Ahmadiyah mosques in various regions, and the violent displacement of Shia communities in Sampang illustrate how constitutional guarantees of religious freedom are systematically undermined by policies and practices at multiple levels of governance.

Contemporary challenges to religious freedom in Indonesia must be understood within this historical context of colonial legacies and postcolonial transformations. The systematic discrimination against Ahmadiyah and Shia communities—manifested through MUI fatwas declaring them heretical, state regulations restricting their activities, social violence including deadly attacks, and administrative barriers to worship and communal life—reveals how postcolonial religious nationalism reproduces colonial patterns of identifying and persecuting groups deemed deviant or threatening. The politicization of religion in electoral contests, exemplified by the 2017 Jakarta gubernatorial election where religious and ethnic identity became central campaign issues, demonstrates how religious difference continues to be weaponized for political gain in ways that deepen social polarization and legitimate intolerance.

This research aims to contribute to deeper understanding of religious freedom in Indonesia by analyzing the intersection of decolonial perspectives, historical contexts, and contemporary challenges. The decolonial lens reveals how seemingly technical policy issues actually reflect profound continuities with colonial structures of power and knowledge. The historical analysis traces how different political periods have transformed while perpetuating patterns of religious control. The examination of contemporary challenges, particularly through the cases of Ahmadiyah

³² Foster, Elizabeth A., and Udi Greenberg, eds. *Decolonization and the Remaking of Christianity*. University of Pennsylvania Press, 2023.

³³ Nolte, A. J. "The Indonesian difference: Nationalism, Islam, and Pancasila pluralism from state formation to the present." In *The Palgrave Handbook of Religion and State Volume II: Global Perspectives*, pp. 323-346. Cham: Springer International Publishing, 2023. https://doi.org/10.1007/978-3-031-35609-4_15

and Shia communities, illuminates the lived consequences of these structural dynamics and the urgent need for fundamental transformation rather than merely incremental reform.

Method

This type of research produces data in the form of words and verbal descriptions, where the research results are explained through in-depth verbal definitions. In terms of literature sources, the researcher refers to various written materials in the form of documents such as books, journals, articles, theses, and dissertations directly related to the research title and topic, including discussions of the subject and object of this study. The primary objective of this approach is to integrate existing knowledge to address specific issues or provide solutions within a particular field of study. As stated by Dodgson, J. E. (2021), this approach is crucial for a comprehensive understanding of the research subject through a critical analysis of the existing literature.³⁴ Meanwhile, according to John W. Creswell, the goal of qualitative research is to obtain in-depth descriptions and analyses while minimizing the researcher's egocentricity in the research process.³⁵ In terms of its nature, the research conducted falls into the descriptive-analytical research category.³⁶ Descriptive in this context means providing an explanation related to state policy on religious freedom from a comprehensive and comprehensive perspective. Analytical means an effort to critique several opinions expressed, in this case related to the dynamics of religious freedom policy in Indonesia from a historical to contemporary perspective. Thus, this research method allows researchers to conduct an in-depth study of the evolution of religious freedom policies in Indonesia—from the pre-independence era, through the Sukarno and Suharto periods, to the reform and decentralization eras—through a systematic and critical literature analysis.

Result and Discussion

Result

1. Political System and Religious Policies

Indonesia is based on Pancasila as the state ideology, which places the belief in one God as one of its basic principles. Pancasila reflects Indonesia's commitment to religious pluralism and interfaith harmony. In this context, Indonesia's religious policy aims to support religious diversity, while ensuring that all religious activities are in line with national values. However, in practice, this ideology is often influenced by narrow interpretations, especially when the majority religion has a dominant influence in politics. This is reflected in policies that discriminate against religious minority groups, such as the Ahmadiyah and Shia.

In Indonesia, the Ministry of Religious Affairs plays a role in religious policy. This institution is tasked with managing relations between religious communities, granting permits for the construction of places of worship, and ensuring that all religions recognized by the state are treated fairly. However, the Ministry of Religious Affairs often faces challenges in balancing the interests of majority and minority groups. In some cases, the decisions made by this institution tend to

³⁴ Dodgson, Joan E. "Critical analysis: The often-missing step in conducting literature review research." *Journal of Human Lactation* 37, no. 1 (2021): 27-32.

³⁵ Poedjiastutie, Dwi. *a Closer Look of Qualitative Research (A handbook guide for novice researcher)*. Vol. 1. UMMPress, 2021.

³⁶ Barrak Dayeh, Prof, and Bariq Yousif Mohammed. "A Comparative Analytical Descriptive Study." In *Proceedings of the First international conference on Legal Sciences: Intellectual Property-Contemporary Problems & Legal Solutions (ICLS-22)*. 2023. <https://dx.doi.org/10.2139/ssrn.4492812>

accommodate pressure from the majority group, thus creating injustice for minority groups. For example, the case of the ban on church construction in several regions shows how state institutions can be influenced by local political dynamics.

The religious policy of Indonesia is deeply rooted in its distinctive political culture and system, with religious diversity being a perpetual challenge to manage. The nation aims to maintain social harmony and political stability while embracing religious diversity within its pluralistic society. In practice, the implementation of religious policy in Indonesia often disproportionately affects minority communities through measures that favor the majority or align with dominant state interests. While these policies are intended to foster unity, they can unintentionally marginalize those who do not conform to mainstream religious practices, highlighting the tension between inclusivity and social control.

A key aspect of Indonesia's system is the significant role that community participation plays in shaping religious policy. Local communities exert influence over regulatory decisions, creating a complex dynamic between state directives and grassroots initiatives. This decentralized approach fosters an active environment where diverse voices contribute to ongoing discussions about religious freedom and tolerance. Ultimately, Indonesia's experience demonstrates the delicate balance between maintaining political stability and ensuring fair representation for all religious groups. The nation's journey toward a more inclusive religious framework continues to evolve, driven by government policies and the proactive engagement of its communities.

2. Legal Framework Governing Religious Freedom

In Indonesia, freedom of religion is guaranteed by the Constitution and various laws. Article 28 E paragraph 1 of the 1945 Constitution emphasizes that everyone has the right to freedom of religion, while Law No. 39 of 1999 concerning Human Rights states that this right cannot be diminished under any circumstances.³⁷ Freedom of religion in Indonesia includes the right to choose, embrace, and practice worship following one's religion or belief. However, in practice, challenges such as intolerance and discrimination against religious minorities still occur.

Freedom of religion and belief is also regulated in Article 22 of the Human Rights Law which reads: (1) Everyone is free to embrace their respective religion and worship according to their religion and belief. (2) The state guarantees the freedom of everyone to embrace their respective religion and to worship according to their religion and belief. Furthermore, in 1966, the United Nations General Assembly ratified the *International Covenant on Civil and Political Rights* (ICCPR). As a country that upholds the rule of law and respect for human rights, Indonesia has taken steps to ratify the ICCPR through Law 12/2005. Regarding freedom of religion and belief, Article 18 of the ICCPR stipulates that everyone has the right to freedom of thought, conscience and religion. This right includes the freedom to have a religion or belief of one's choice, and no one can be forced to have a religion or belief of his choice.³⁸

The Indonesian Constitution, namely the 1945 Constitution (UUD 1945), provides an explicit guarantee of freedom of religion. Article 28E paragraph (1) states that everyone is free to embrace religion and worship according to their religion. In addition, Article 29 paragraph (2)

³⁷ Komisi Nasional Hak Asasi Manusia, "Jurnal HAM," Jurnal HAM 11 (2014): vii, accessed December 28, 2024, <https://www.komnasham.go.id/files/20190425-jurnal-ham-vol-11-tahun-2014-%24UFZK.pdf>.

³⁸ Renata Christha Auli, "Kebebasan Memeluk Agama dan Kepercayaan sebagai Hak Asasi Manusia," Hukumonline, accessed December 27, 2024, <https://www.hukumonline.com/klinik/a/kebebasan-memeluk-agama-dan-kepercayaan-sebagai-hak-asasi-manusia-cl6556/>.

emphasizes that the state guarantees the freedom of every citizen to embrace their respective religion and to worship according to their religion and beliefs. This legal framework is reinforced by various other laws and regulations, such as Law No. 39 of 1999 concerning Human Rights, which explicitly guarantees freedom of religion. However, despite a strong legal framework, implementation on the ground often faces challenges. For example, regulations such as the Joint Decree (SKB) of 2 Ministers on the establishment of houses of worship are often criticized for being an obstacle to the religious freedom of minority groups.

Legally, Indonesia has a strong foundation for protecting religious freedom. Article 28E (1) of the 1945 Constitution guarantees every individual the right to embrace and practice their religion, while Article 29(2) affirms the state's obligation to safeguard this freedom. However, the existence of laws such as Law No. 1/PNPS of 1965 on the Prevention of Abuse and/or Blasphemy of Religion has frequently been used to justify restrictions on religious minorities. These legal instruments, while originally intended to maintain public order, have often contributed to the marginalization of groups such as Ahmadiyah, Shia Muslims, and indigenous faith communities.

In practice, Indonesian state policy tends to reflect the influence of majoritarianism. This can be seen, for example, in the cases of the Ahmadiyya and Shia communities, which face social pressure and discriminatory policies. Religion-based regional regulations (Perda) in some areas also show how the majority of local religion can influence local policy. Another example is the controversy surrounding the construction of houses of worship, which often involves the requirement of majority support from residents. Policies like these raise questions about the extent to which the principles of pluralism are consistently applied in Indonesia.

Furthermore, the role of the Constitutional Court (MK) in dealing with issues of religious freedom shows complex legal dynamics. In some decisions, the Constitutional Court tends to support the *status quo*, as in the case of a judicial review of Law No. 1/PNPS of 1965 concerning blasphemy. In 2010, the Constitutional Court rejected all requests for judicial review, stating that the law was constitutional and necessary to maintain public order and harmony among religious communities.³⁹ In this decision, the Constitutional Court emphasized that the right to religion in the individual context cannot be separated from the right to religion in the social context, reflecting the view that the protection of freedom of religion must consider the public interest. This approach reflects the challenge of balancing the protection of religious freedom with the maintenance of social harmony. On the other hand, some rulings show progressivity, such as the recognition of belief systems to be recorded in the religion column on Identity Cards (KTP). The Constitutional Court strengthens the right of individuals to be recognized according to their beliefs. This decision reflects recognition of diversity and the right of individuals to identify themselves.⁴⁰

In addition, state policies towards certain religious communities are also often influenced by political dynamics. The government tends to take populist measures to maintain political support from the majority. This can be seen, for example, in the handling of certain religious organizations that are considered contrary to the ideology of the state. The decision to disband Hizbut Tahrir Indonesia (HTI) is one example of how the government uses legal instruments to regulate religious public spaces. However, this move has also drawn criticism for being perceived as limiting freedom

³⁹ Kementerian Agama Republik Indonesia, "MK Putuskan UU Penodaan Agama Konstitusional," accessed December 30, 2024, <https://kemenag.go.id/nasional/mk-putuskan-uu-penodaan-agama-konstitusional-9s6pqe>.

⁴⁰ Ashfiya Nur Atqiya, Ahmad Muhamad Mustain Nasoha, Ki Awang Pijar Pembayun, et al., "Peran Mahkamah Konstitusi dalam Menjamin Hak-Hak Kewarganegaraan di Indonesia," *Aliansi: Jurnal Hukum, Pendidikan dan Sosial Humaniora* 1, no. 6 (2024): 302–313, <https://doi.org/10.62383/aliansi.v1i6.611>.

of expression and association. Disbanding HTI is not just about the state or the majority's sentiment towards the minority, but is an effort by the state to maintain national security from the danger of terrorism.

From a sociological point of view, conflict and consensus theories can help explain the dynamics of freedom of religion policy in Indonesia. The idea of a *pluralist justice system*⁴¹ emphasizes the importance of resolving conflicts through deliberation and dialogue, rather than through repressive law enforcement. This approach aims to revitalize moral and ethical values in society. Then, conflict theory highlights how the interests of majority and minority groups often clash, while consensus theory emphasizes the importance of dialogue and compromise to achieve social harmony. In the Indonesian context, the consensus approach is often faced with challenges when the majority group is more dominant in determining policy direction.

3. State and Religion: Manage vs. Pluralism

The Republic of Indonesia has a long history of managing the relationship between the state and religion, which is reflected in the Pancasila ideology as the state ideology. Indonesia places the *Deity Almighty* in the first principle, which reflects the recognition of the existence of God and the importance of religion in social life. This recognition is also followed by challenges in maintaining a balance between state control over religion and respect for religious pluralism.

Indonesia recognizes six official religions such as Islam, Protestant Christianity, Catholicism, Hinduism, Buddhism, and Confucianism. This policy is regulated in Law No. 1/PNPS of 1965 concerning the Prevention of Abuse and/or Desecration of Religion.⁴² On the one hand, this policy has also been criticized for limiting freedom of religion, especially for followers of local religions or other beliefs that are not included in the official list. Many argue that this regulation creates discrimination against these groups, who often do not receive the same legal protection as the six official religions. This regulation has implications for the citizenship rights of adherents of unrecognized religions, including in terms of public services and recognition before the law. Although freedom of religion is guaranteed in the constitution, practice in the field often shows injustice to those who adhere to beliefs outside the six religions.⁴³ These problems show that state policy towards religion is often ambivalent. For example, the state protects official religions through the provision of administrative services, such as marriage registration and civil registration. However, on the other hand, the state also strictly supervises religious activities that are considered deviant or have the potential to disrupt social stability. Policies like this illustrate a strong control approach to the management of religion.⁴⁴

The proposal from the National Counterterrorism Agency (BNPT) to control houses of worship also demonstrates a broader form of state control. Although it aims to prevent radicalization, some parties oppose this proposal because it is considered to violate the freedom of

⁴¹ Kherid, Muhammad Nizar, and Fifiana Wisnaeni. "Pluralism Justice System Dalam Penyelesaian Masalah Kebebasan Beragama." *Masalah-Masalah Hukum* 48, no. 4 (2018): 385-392. <https://doi.org/10.14710/mmh.48.4.2019.385-392>

⁴² CNN Indonesia, "Mengenal 6 Agama di Indonesia: Kitab Suci hingga Hari Besarnya," accessed December 30, 2024, <https://www.cnnindonesia.com/edukasi/20230531163253-569-956372/mengenal-6-agama-di-indonesia-kitab-suci-hingga-hari-besarnya>.

⁴³ Yayasan Lembaga Bantuan Hukum Indonesia, "Miskonsepsi Pengakuan Agama di Indonesia," accessed December 30, 2024, <https://ylbhi.or.id/publikasi/artikel/miskonsepsi-pengakuan-agama-di-indonesia/>.

⁴⁴ Abdul Syukur, "Kebijakan Pemerintah Indonesia tentang Agama (Kajian Atas Relasi Agama dan Negara)," *Socio-Politica* 1, no. 2 (July–December 2012): 7.

religion guaranteed by the constitution. Critics argue that such control can harm the ecosystem of religious freedom and give the government legitimacy to intervene in religious practices. Many religious leaders and civil society organizations strongly reject this form of control. They argue that the state should guarantee freedom of worship for all citizens without discrimination. A more appropriate approach, according to them, is through dialogue and guidance rather than direct control.⁴⁵ In addition, a control approach is also seen in the supervision of minority religious groups, such as Ahmadiyah and Shia. These groups often face discrimination, both in the form of physical violence and administrative restrictions. The state often argues that this supervision aims to maintain social harmony, but in reality, this step often reinforces intolerance and injustice.

On the other hand, Indonesia also has a long history of supporting religious pluralism. The principle of Unity in Diversity (Bhinneka Tunggal Ika) adopted from the Hindu-Buddhist tradition of Majapahit reflects the spirit of diversity that is the nation's identity. In recent decades, various civil society organizations have encouraged the state to adopt a more inclusive approach to religion and belief. For example, on November 7, 2017, the Constitutional Court issued a decision allowing adherents of local religions to record their beliefs in the religion column on their identity cards. This decision is a step forward in recognizing religious pluralism and protecting the rights of minority groups.⁴⁶ However, its implementation at the local level still faces various challenges, such as bureaucratic resistance and a lack of public understanding of the importance of diversity.

The discourse on religious freedom in Indonesia reflects the intricate relationship between the state and religious communities within a multicultural society. While Indonesia formally upholds religious pluralism through constitutional guarantees and legal frameworks, the implementation of these protections often encounters significant challenges. The state's regulatory approach, intended to maintain social harmony and national stability, has at times contributed to restrictions on religious expression, particularly for minority groups. Despite these challenges, Indonesia has made efforts to accommodate religious diversity by recognizing indigenous belief systems and protecting places of worship. However, issues of discrimination and social tensions continue to pose obstacles to fully realizing religious freedom in practice.

Discussion

1. Decolonizing Religious Freedom: From Colonial Legacy to Postcolonial State Control

This research reveals a fundamental paradox in the management of religious freedom in Indonesia that can be traced to the persistent influence of colonial structures and epistemologies in postcolonial governance.⁴⁷ The decolonial perspective offers a critical lens through which to examine how contemporary policies on religious freedom in Indonesia remain entangled with colonial legacies, despite the nation's formal independence in 1945.⁴⁸ This entanglement manifests not only in institutional arrangements but also in the conceptual frameworks that underpin state-

⁴⁵ Tempo, "Menolak Kontrol Negara atas Rumah Ibadah," accessed December 30, 2024, <https://www.tempo.co/politik/menolak-kontrol-negara-atas-rumah-ibadah-821070>.

⁴⁶ Tempo, "Putusan MK soal KTP, Ketua MUI: Aliran Kepercayaan Bukan Agama," accessed December 30, 2024, <https://www.tempo.co/politik/putusan-mk-soal-ktp-ketua-mui-aliran-kepercayaan-bukan-agama-1148778>.

⁴⁷ Donobakti, Yohanes Anjar, Jimson Sigalingging, and Hendrikus Midun. "Post-colonial study to understand the identity of God in the experience of the Indonesian indigenous." *Mysterium Fidei: Journal of Asian Empirical Theology* 2, no. 1 (2024): 26-34. <https://doi.org/10.5281/zenodo.10794212>

⁴⁸ Mursyid, Andi Miftahul Maulidil. "Freedom on Whose Terms? A Decolonial Re-Examination of Religion in Indonesia." *Journal of Religion and Decoloniality* 1, no. 1 (2025): 1-15. <https://doi.org/10.24260/jrd.1.1.43>

religion relations⁴⁹, raising profound questions about whether Indonesia has truly decolonized its approach to managing religious diversity or merely inherited and adapted colonial mechanisms of control under the guise of national sovereignty.⁵⁰

The historical context of religious policy in Indonesia cannot be divorced from the Dutch colonial administration's strategic manipulation of religious identities and institutions. During the Dutch East Indies period, Islam was constructed as the "natural enemy" of Christianity, and Muslims were perceived as untrustworthy and fanatical subjects whose religious practices posed a constant threat to colonial stability. As Nostradamus, M. (2023) documents, the colonial government viewed Islam as dangerous dynamite for European security in the Dutch East Indies.⁵¹ This colonial paranoia translated into systematic surveillance of Islamic activities, restrictions on the Hajj pilgrimage, monitoring of Islamic educational institutions such as pesantren, and control over mosques. The colonial state's approach to religion was fundamentally premised on divide-and-rule strategies that fragmented religious communities and hierarchized different faiths according to their perceived compatibility with colonial interests.⁵²

In stark contrast to the treatment of Islam, Protestant Christianity received substantial support from the colonial government through land grants, funding for missionary activities, and privileged access to educational and economic opportunities. This preferential treatment created deep structural inequalities between religious communities that persisted long after independence.⁵³ The colonial policy of supporting Christian missions was not merely about religious conversion but served as a broader civilizing mission that positioned European Christianity as superior to indigenous beliefs and even to Islam, which was already well-established in the archipelago. This hierarchization of religions based on colonial racial and cultural categories has had enduring effects on how religious freedom is conceptualized and practiced in postcolonial Indonesia.

From a decolonial perspective, the transition from colonial to postcolonial governance did not represent a radical rupture with these colonial structures but rather their transformation and adaptation. The postcolonial Indonesian state inherited the colonial apparatus of religious surveillance and control, reconstituting it within a nationalist framework. The establishment of the Ministry of Religious Affairs in 1946, just one year after independence, represents a continuity of state intervention in religious affairs, albeit now justified through the discourse of national unity and the Pancasila ideology rather than colonial security concerns. While Pancasila's first principle of "Belief in One Supreme God" ostensibly recognizes religious pluralism, it simultaneously imposes a theistic framework that marginalizes atheism, agnosticism, and indigenous belief systems that do not conform to monotheistic categories derived from Abrahamic traditions.

The decolonial critique becomes particularly salient when examining Law No. 1/PNPS/1965 on the Prevention of Abuse and/or Blasphemy of Religion, which officially recognizes only six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and

⁴⁹ Krisch, Nico, ed. *Entangled legalities beyond the state*. Cambridge University Press, 2021.

⁵⁰ Nuryazidi, Mohammad. "Collective social entrepreneurship as a tool for decolonization: ethnographic case studies from pesantren in Indonesia." PhD diss., University of Southampton, 2024. <https://eprints.soton.ac.uk/493706/>

⁵¹ Nostradamus, Michael. "The Hijrah: islamification of Europe." *Islam in the West: Issues of Identity Crisis, Multiculturalism, and Conflict* (2023): 58.

⁵² Ullah, AKM Ahsan. "Empire, Colonialism, and Religious Mobility in Transnational History." *Religions* 16, no. 4 (2025): 403. <https://doi.org/10.3390/rel16040403>

⁵³ Khan, Muhammad, Karl Behrendt, Dimitrios Papadas, Lydia Arnold, and Aneela Sultana. "From inequalities to inclusion: Sustainable development for smallholders." *Sustainable Development* (2025). <https://doi.org/10.1002/sd.70073>

Confucianism. This legislative act, passed during Sukarno's era and maintained throughout Suharto's New Order and beyond, essentially replicates the colonial logic of categorizing and hierarchizing religions according to state-defined criteria of legitimacy. The law creates a taxonomy of religious authenticity that mirrors colonial epistemic violence—the process by which colonial powers imposed their categories of knowledge and being upon colonized subjects, thereby marginalizing or erasing alternative ways of knowing and believing.⁵⁴ Indigenous belief systems, mystical traditions, and syncretic practices that do not fit neatly into these state-sanctioned categories are rendered illegitimate, their practitioners denied full citizenship rights and subjected to conversion pressures or social marginalization.⁵⁵

The decolonial perspective also illuminates how the concept of "religious freedom" itself, as enshrined in international human rights instruments and Indonesian constitutional law, carries colonial genealogies that complicate its application in the Indonesian context. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which Indonesia has ratified, articulate religious freedom in terms derived from Western liberal political philosophy, emphasizing individual autonomy, the right to change religion, and the separation of church and state.⁵⁶ However, these frameworks emerged from European historical experiences—particularly the Wars of Religion and the Enlightenment—and may not adequately address the complex interweaving of religion, culture, and communal identity that characterizes Indonesian society. The uncritical adoption of Western human rights paradigms can itself be seen as a form of epistemic colonialism that marginalizes indigenous conceptions of religious life and communal harmony.⁵⁷

The research findings on decentralization in the post-Reformasi era reveal another dimension of this colonial legacy. The proliferation of more than 440 Sharia-based regional regulations (Perda) between 1999 and 2009, as documented by the Setara Institute, demonstrates how decentralization has enabled local elites to assert religious majoritarianism in ways that paradoxically mirror colonial strategies of fragmenting and dividing populations. These regional regulations, which mandate practices such as hijab wearing, prohibit alcohol sales, and restrict minority religious activities, represent a form of internal colonialism where majority communities exercise power over minorities in ways that reproduce colonial patterns of domination and exclusion. The case of the closure of GKI Yasmin Church in Bogor, despite Supreme Court rulings in its favor, exemplifies how local power structures can override constitutional guarantees, creating archipelagos of discrimination within the formally unified nation-state.

From a decolonial standpoint, the persistence of these discriminatory practices reveals the incomplete nature of Indonesia's decolonization.⁵⁸ Political independence did not automatically translate into epistemic decolonization—the process of questioning and transforming the colonial categories, hierarchies, and modes of thought that continue to structure social relations and state

⁵⁴ Brunner, Claudia. "Conceptualizing epistemic violence: An interdisciplinary assemblage for IR." *International Politics Reviews* 9, no. 1 (2021): 193-212. <https://doi.org/10.1057/s41312-021-00086-1>

⁵⁵ Clarke, James. "Christianity in the Modern World: A Study of Religion in a Pluralistic Society." (2022): 1-100.

⁵⁶ Madung, Otto Gusti, and Winibaldus Stefanus Mere. "Constructing modern Indonesia based on Pancasila in dialogue with the political concepts underlying the idea of human rights." *JSEAHHR* 5 (2021): 1.

⁵⁷ Adami, Rebecca. "Revisiting the past: human rights education and epistemic justice." *Human Rights Education Review* 4, no. 3 (2021): 5-23. <https://doi.org/10.7577/hrer.4486>

⁵⁸ Daniels, Timothy P. "Blackness in Indonesia: Articulations of colonial and postcolonial racial epistemologies." *Ethnos* 89, no. 4 (2024): 657-678. <https://doi.org/10.1080/00141844.2022.2081239>

policies.⁵⁹ The Indonesian state's approach to religious freedom remains trapped in what Walter Mignolo calls the "colonial matrix of power," which operates through the interrelated domains of authority (political structures), economy (resource control), knowledge (epistemology), and subjectivity (identity formation). The state's insistence on categorizing, recognizing, and regulating religions reflects colonial patterns of knowledge production that position state institutions as the ultimate arbiters of religious legitimacy and authenticity.⁶⁰

Moreover, this research identifies how the politicization of religion in contemporary Indonesia, exemplified by the 2017 Jakarta gubernatorial election where religious identity became a central campaign issue, represents a neocolonial dynamic where religious difference is weaponized for political gain. The mobilization of religious sentiment against gubernatorial candidate Basuki Tjahaja Purnama (Ahok), a Chinese-Indonesian Christian, through blasphemy accusations demonstrates how colonial-era constructions of religious and racial hierarchy continue to operate in postcolonial politics. The blasphemy law itself, inherited from the colonial period and maintained in the postcolonial state, serves as an instrument through which majoritarian religious nationalism can suppress dissent and marginalize minorities, much as colonial authorities once used similar legal mechanisms to control indigenous populations.

The Constitutional Court's ambivalent role in adjudicating religious freedom cases further illustrates the tensions inherent in Indonesia's incomplete decolonization. While the Court has made progressive decisions, such as allowing adherents of indigenous beliefs to list their faith on identity cards in 2017, it has simultaneously upheld discriminatory laws like the blasphemy statute in its 2010 decision. This ambivalence reflects the Court's struggle to navigate between competing claims: constitutional guarantees of religious freedom, state interests in maintaining social harmony, and majoritarian pressures to protect the dominance of officially recognized religions. The Court's tendency to prioritize stability over rights protection mirrors colonial judicial practices that subordinated indigenous rights to colonial order and security.

From a decolonial perspective, achieving genuine religious freedom in Indonesia requires more than legal reforms or better policy implementation; it demands a fundamental rethinking of how the state relates to religious diversity. This involves several interrelated processes. First, there must be a critical examination of the colonial genealogies of current policies and institutions, acknowledging how they continue to reproduce colonial logics of control and exclusion. Second, there needs to be a pluralization of epistemic frameworks for understanding religion, moving beyond state-imposed categories to recognize the validity of diverse indigenous and syncretic religious traditions on their own terms. Third, the concept of religious freedom itself must be reimagined in ways that honor Indonesian historical experiences and cultural values rather than merely importing Western liberal paradigms.

The research also reveals that civil society organizations such as the Wahid Foundation, Setara Institute, and KontraS, along with grassroots interfaith initiatives like the Jogja Interfaith Network, represent important sites of decolonial resistance. These organizations challenge state-imposed categories and hierarchies, advocate for marginalized communities, and create spaces for dialogue that bypass official channels of religious regulation. Their work embodies what

⁵⁹ Ndlovu-Gatsheni, Sabelo J. "The cognitive empire, politics of knowledge and African intellectual productions: Reflections on struggles for epistemic freedom and resurgence of decolonisation in the twenty-first century." *Third World Quarterly* 42, no. 5 (2021): 882-901. <https://doi.org/10.1080/01436597.2020.1775487>

⁶⁰ Gao, Zhe. "Is China Repressing or Moulding Religion? 'Religious Freedom', Post-coloniality, and the Chinese State Building." *Politics, Religion & Ideology* 23, no. 1 (2022): 1-22. <https://doi.org/10.1080/21567689.2022.2057478>

Boaventura de Sousa Santos calls "epistemologies of the South"—knowledge practices that emerge from contexts of historical oppression and offer alternative visions of social organization based on solidarity, pluralism, and justice rather than control and hierarchy. However, these civil society efforts often face resistance from both conservative religious groups and state authorities, indicating the powerful interests invested in maintaining colonial patterns of religious governance.

The decolonial analysis also extends to educational curricula and public discourse about religion.⁶¹ This research finds that religious education in Indonesia often reinforces majoritarian perspectives and official state categories rather than fostering genuine appreciation for religious diversity. A decolonized approach to religious education would critically examine how religious identities have been constructed through colonial and postcolonial power relations, teach students about indigenous spiritual traditions that predate and coexist with world religions, and cultivate skills for navigating religious difference through dialogue rather than tolerance premised on hierarchy. This pedagogical shift is essential for creating a generation capable of imagining and actualizing truly decolonized forms of religious coexistence.⁶²

Furthermore, the research findings on the experiences of religious minorities—particularly the systematic discrimination against Ahmadiyah and Shia communities—demonstrate how colonial patterns of identifying and persecuting "heretical" or "deviant" groups persist in postcolonial Indonesia. The Dutch colonial administration's preoccupation with defining orthodoxy and heresy in Islam, driven by fears of religious mobilization against colonial rule, finds echoes in contemporary state and civil society efforts to police the boundaries of acceptable Islamic belief and practice.⁶³ The Joint Decree of Three Ministers (2008) restricting Ahmadiyah activities, the MUI fatwas declaring both Ahmadiyah and Shia as deviant, and the violence against these communities in Cikeusik and Sampang all exemplify how postcolonial religious nationalism can reproduce colonial techniques of surveillance, categorization, and exclusion in the name of protecting religious purity or maintaining social harmony.

The global context of contemporary religious freedom debates also reveals neocolonial dynamics that complicate Indonesia's situation. International pressure from Western governments and human rights organizations to conform to universal standards of religious freedom can be experienced as a new form of cultural imperialism that disregards Indonesian sovereignty and cultural specificity. At the same time, appeals to cultural relativism and national sovereignty can be cynically deployed by state and religious elites to justify discriminatory practices and evade accountability for human rights violations. Navigating this terrain requires a decolonial approach that neither uncritically accepts Western human rights frameworks nor dismisses them entirely, but rather engages in what Dipesh Chakrabarty calls "provincializing Europe"—recognizing the particular historical and cultural contexts from which these frameworks emerged while constructing contextually appropriate mechanisms for protecting human dignity and religious freedom.

⁶¹ Gearon, Liam, Arniika Kuusisto, Yonah Matemba, Saija Benjamin, Petro Du Preez, Pia Koirikivi, and Shan Simmonds. "Decolonising the religious education curriculum." *British Journal of Religious Education* 43, no. 1 (2021): 1-8. <https://doi.org/10.1080/01416200.2020.1819734>

⁶² Matemba, Yonah. "Decolonising religious education in sub-Saharan Africa through the prism of anticolonialism: A conceptual proposition." *British Journal of Religious Education* 43, no. 1 (2021): 33-45. <https://doi.org/10.1080/01416200.2020.1816529%4010.1080>

⁶³ Barylo, William. *British Muslims in the Neoliberal Empire: Resisting, Healing, and Flourishing in the Meticolonial Era*. Oxford University Press, 2025.

2. Religious Minorities as Subjects of Postcolonial Violence: Ahmadiyah and Shia in Historical and Contemporary Contexts

This research specifically identifies the Ahmadiyah and Shia communities as two Muslim minority groups experiencing systematic discrimination and structural violence that must be understood within both historical colonial contexts and contemporary postcolonial dynamics. The decolonial perspective reveals that the marginalization of these communities represents not merely social intolerance or policy failures but the continuation of colonial patterns of religious governance that construct certain forms of religious expression as dangerous deviations requiring state intervention and social correction. This analysis demonstrates how postcolonial religious nationalism in Indonesia has paradoxically internalized colonial logics while simultaneously asserting its independence from Western influence, creating what Partha Chatterjee calls the "derivative discourse" of postcolonial nationalism that reproduces colonial categories even as it claims to transcend them.

The historical context of Ahmadiyah in Indonesia illuminates the colonial genealogy of contemporary discrimination. The Ahmadiyah community entered Indonesia in the early 20th century through the efforts of three young men from West Sumatra—Abubakar Ayyub, Ahmad Nuruddin, and Zaini Dahlan—during the Dutch colonial period. Initially, Ahmadiyah's presence was tolerated and even sometimes welcomed as part of the diverse Islamic landscape of the Netherlands East Indies.⁶⁴ However, the colonial administration's anthropological interest in cataloging and classifying religious movements, combined with its strategy of managing Islam through divide-and-rule tactics, established precedents for state surveillance and categorization of religious groups that would be inherited by the postcolonial Indonesian state. The Dutch colonial obsession with defining Islamic orthodoxy and identifying potentially rebellious or deviant groups created administrative and epistemic structures that the independent Indonesian state adapted rather than abolished.⁶⁵

The theological controversy surrounding Ahmadiyah—specifically its recognition of Mirza Ghulam Ahmad as a prophet after Muhammad—became grounds for systematic marginalization only after Indonesian independence⁶⁶, when the state began asserting its role as arbiter of religious legitimacy. The Indonesian Ulema Council (MUI) fatwas of 1980 and 2005 declaring Ahmadiyah as heretical and misleading represent the postcolonial state's appropriation of religious authority to define orthodoxy and police boundaries, a role that mirrors colonial administrative practices. As Alnizar, F. (2025) analyzes, these fatwas, while lacking legal binding force, provided moral legitimacy for discriminatory actions and created a framework through which state power could be mobilized against the Ahmadiyah community under the guise of protecting religious purity and social harmony.⁶⁷

The Joint Decree of Three Ministers (SKB) issued in 2008, which prohibits Ahmadiyah proselytizing activities, represents the culmination of this postcolonial religious governance. The

⁶⁴ Budiman, Arman. "A Critical Study of Iskandar Zulkarnain's Thought on 'The Ahmadiyya Movement in Indonesia' from the Phenomenological Perspective of Edmund Husserl." *An-Nida'* 47, no. 1: 22-37. <http://dx.doi.org/10.24014/an-nida.v47i1.21799>

⁶⁵ Sebastian, Leonard C., and Syed Huzaifah Bin Othman Alkaff. *Indonesia and Islam in transition*. Palgrave Macmillan, 2024. <http://dx.doi.org/10.1007/978-981-97-1140-6>

⁶⁶ Ja'far, Handoko. "Reducing Discordant Religious Relationships: Ahmadiyya Case in Indonesia." *UMRAN-Journal of Islamic and Civilizational Studies* 11, no. 1 (2024): 49-61.

⁶⁷ Alnizar, Fariz. "The Language of Exclusion: Ideology and Power in the Fatwa of the Majelis Ulama Indonesia on Ahmadiyah." *J. Islamic L.* 6 (2025): 67.

SKB, issued by the Minister of Religious Affairs, Minister of Home Affairs, and Attorney General in response to pressure from conservative Islamic organizations, effectively criminalizes core aspects of Ahmadiyah religious practice and identity. From a decolonial perspective, this decree exemplifies how the postcolonial state exercises what Michel Foucault calls "biopower"—the regulation and control of populations through administrative mechanisms that determine who belongs to the legitimate body politic and who must be excluded or reformed. The SKB creates a category of religious citizens whose rights are conditionally suspended based on their theological beliefs, reproducing colonial patterns of creating legal exceptions for problematic populations.

The Cikeusik tragedy of 2011, where three Ahmadiyah members were killed and others injured in a mob attack while state security forces failed to intervene effectively, demonstrates the deadly consequences of this structural violence. This incident cannot be understood merely as spontaneous communal violence but must be seen as the outcome of state policies and religious discourses that systematically dehumanize and delegitimize the Ahmadiyah community. The colonial concept of "the enemy within"—populations residing within colonial territory but deemed fundamentally incompatible with colonial order—finds its postcolonial analogue in the construction of Ahmadiyah as internal threats to Islamic authenticity and national unity. The relatively light sentences given to perpetrators of violence in Cikeusik, documented in this research, send a clear message of impunity that encourages further attacks and demonstrates the state's complicity in anti-Ahmadiyah violence.

Beyond direct physical violence, the Ahmadiyah community faces what this research terms "necropolitical administration"—borrowing from Achille Mbembe's concept of necropolitics, which describes how state power determines who may live and who must die or live in conditions of social death. The closure and sealing of Ahmadiyah mosques in Depok, Bandung, and Garut Regency in 2024, the administrative obstacles to obtaining identity documents, the difficulties in accessing public services, and the forced displacement from homes all represent technologies of social death that render Ahmadiyah existence precarious and conditional. These practices echo colonial techniques of spatial segregation and administrative exclusion that confined colonized populations to specific zones and denied them full participation in colonial society.⁶⁸

The Shia community in Indonesia faces parallel but distinct forms of postcolonial violence rooted in different historical trajectories. While Shia Islam has ancient roots in the archipelago and has contributed significantly to Indonesian Islamic intellectual traditions, its minority status and theological differences with Sunni majority have made it vulnerable to marginalization intensified by transnational sectarian conflicts and domestic political dynamics.⁶⁹ The decolonial analysis reveals how sectarian identities in Indonesia have been shaped not only by internal Islamic theological debates but also by colonial and postcolonial geopolitical interventions.⁷⁰ The Cold War rivalry between Saudi Arabia and Iran, which mapped onto Sunni-Shia divisions and was

⁶⁸ Syafii, Muhammad Hisyam, Ahmad Hermawan, Husain Azhari, and Lala Afafa. "Revealing Annemarie Schimmel's Interpretation of The Sufi Texts Through Gadamer's Philosophical Hermeneutic Analysis." *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 20, no. 2 (2024): 370-388. <https://doi.org/10.18196/afkaruna.v20i2.23900>

⁶⁹ Yusuf, Kamal, and Hilmadani Situmorang. "Tracing the history of shia in indonesia: History, perceptions, and contemporary challenges." *At Turots: Jurnal Pendidikan Islam* (2024): 460-472.

⁷⁰ Ramadhan, Jelang, Miftahul Ulum, and Normuslim Normuslim. "Critiques to the Nation-State Model: Representing Muslim and Islamism in the Post-colonial Era." *Bandung* 11, no. 3 (2024): 448-479.

instrumentalized by both colonial and postcolonial powers, has influenced how Shia communities are perceived and treated in Indonesia.⁷¹

The Sampang tragedy of August 2012, where a Shia settlement was attacked by mobs, resulting in burned homes, one death, numerous injuries, and the displacement of 165 residents to a sports hall where they remained refugees for years, represents one of the most egregious failures of the postcolonial state to protect minority rights. The testimonies of survivors like Tohir, who witnessed his brother's murder and suffered serious injuries, reveal the visceral trauma of religious violence. However, from a decolonial perspective, this violence must be understood not merely as individual tragedy but as the culmination of structural processes that construct Shia as legitimate targets. The MUI fatwa declaring Shia teachings as deviant, the refusal of local communities to allow refugees to return unless they "repent" and abandon their beliefs, and the state's failure to ensure accountability or provide adequate support all demonstrate systemic postcolonial religious governance that reproduces colonial patterns of identifying and persecuting heretical groups.

Second, there is legal violence—the deployment of law not to protect rights but to legitimize discrimination and exclusion. Law No. 1/PNPS/1965 on blasphemy, the Joint Decree restricting Ahmadiyah, regional regulations (Perda) that limit minority religious activities, and the selective enforcement of laws that protects perpetrators while criminalizing victims all exemplify what Gayatri Chakravorty Spivak calls "sanctioned ignorance"—systematic structural processes that render certain forms of suffering invisible or justified within official discourse. The colonial legal tradition of creating special regulations for problematic populations finds its postcolonial continuation in these discriminatory laws that create hierarchies of citizenship based on religious conformity.

Conclusion

This research has illuminated the fundamental paradox at the heart of Indonesia's management of religious freedom: while the nation's constitutional framework and Pancasila ideology formally guarantee religious pluralism and individual rights, the actual implementation of these principles remains deeply compromised by colonial legacies, postcolonial state control mechanisms, and contemporary political dynamics that privilege majoritarian interests over minority rights. The primary finding reveals that Indonesia's approach to religious freedom is not merely experiencing implementation challenges but is structurally entangled with inherited colonial patterns of categorizing, surveilling, and controlling religious diversity—patterns that the postcolonial state has adapted rather than abolished. This decolonial analysis demonstrates that achieving genuine religious freedom requires more than legal reforms or better policy enforcement; it demands a fundamental transformation of the epistemological, institutional, and cultural frameworks through which religious difference is understood and governed.

The research's contribution lies in applying decolonial perspectives to analyze religious freedom policies in Indonesia, revealing how seemingly technical administrative issues—such as the requirement to list religion on identity cards, permit processes for houses of worship, or the official recognition of only six religions—actually represent continuations of colonial governmentality that render certain forms of religious life legitimate while marginalizing others. By examining the historical contexts from pre-independence through the Sukarno and Suharto periods

⁷¹ Zweiri, Mahjoob. "Why Studying Arab–Iranian Relations Matters." In *Arab–Iranian Relations Since the Arab Uprisings*. Taylor & Francis, 2024.

to contemporary decentralization, this study demonstrates that each political transformation has reconfigured rather than eliminated structures of religious control. The cases of Ahmadiyah and Shia communities particularly illuminate how postcolonial religious nationalism reproduces colonial techniques of identifying and persecuting "deviant" groups, creating what this research terms "necropolitical administration" that renders minority existence precarious and conditional.

The implications of these findings extend beyond academic discourse to practical policymaking and social transformation. For the Indonesian government, this research suggests that meaningful protection of religious freedom requires not merely strengthening existing laws but fundamentally reimagining the state's role—moving from arbiter of religious authenticity to guarantor of equal rights for diverse communities. For civil society organizations, these findings affirm the importance of grassroots resistance and alternative spaces for interfaith dialogue that challenge official categories and hierarchies. For international human rights actors, this study cautions against uncritically imposing Western liberal frameworks while simultaneously recognizing universal principles of human dignity that transcend cultural specificity.

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